

## THE HAWAIIAN STAR.

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WEDNESDAY, JUNE 28, 1893.

## THE HABEAS CORPUS CASE.

At the habeas corpus proceedings yesterday Mr. Creighton claimed that by the terms of its proclamation of last January, the Provisional Government has no power to do more than keep order until it secures annexation and to administer such laws as are not monarchical.

That the Provisional Government had no right to make bail depend on the will of the Attorney-General, or of any one but a judge. To make bail depend on the sweet will of a prosecuting officer was opposed to all constitutional right, was more than the Czar of Russia can do, and what cannot be done in any civilized country.

That the Constitution of 1887 is now in force, or else we are living under a despotism.

That, according to Judge Cooley, the Provisional Government is established merely for a temporary emergency until a permanent government can be formed, and that it has no right to make laws like that under which defendant is held.

That the Act of the Provisional Government under which the defendant was arrested does not express all its objects, and is therefore opposed to Article 77 of the Constitution of 1887, viz:

"Article 77. To avoid improper influences, which may result from intermingling in one and the same Act, such things as have no proper relation to each other, every law shall embrace but one object, and that shall be expressed in its title."

That the warrant of arrest is defective, because it fails to set forth the charge.

Mr. Creighton enlarged on the wrong that was done to the defendant by holding him in jail on a mere political charge, and giving his political opponents power to keep him behind iron bars, and deprived of the society of his family and friends, and closed by announcing that the important question to be settled is, Are we living under any Constitution or not? If so, the Constitution of 1887 is in force. It is time to call a halt in the way the Provisional Government is legislating.

Mr. Hartwell said that in order to decide whether strong language is justified by the facts and the law of a case, it is essential to learn what the facts are, and what the law is.

Defendant's counsel claims that the Hawaiian Government which now exists, which is the only one which exists, and is the Government which alone protects the lives and property of all persons in this country, has no legislative functions! It is the first time in history that it has been claimed that any civilized Government does not include legislative powers in its ordinary functions. No matter what that excellent man, Judge Cooley, with his evident lack of knowledge of facts, may think or say, the Hawaiian Government is a Government with legislative functions, and the court decided this in the Sheldon case. It is absurd to say otherwise.

This is not a question of politics, as defendant's counsel, and as many other persons in this community appear to regard it. It is a misnomer to call treason and treasonable utterances politics. The disputes between political parties in times of excitement often are very heated; but they never call in question the existence and right of existence of the Government under which all political parties exist, and which all persons are alike bound to protect and support.

It is high time to call a halt in such reasonable talk. The complaint fully states the offense in the words of the act of the Provisional Government. That act is not opposed to the requirements of Article 77 of the Constitution of 1887.

The Hawaiian Government is to-day carried on as the Government of the British Empire is carried on, upon constitutional principles, in accordance with the proclamation of January 17 last.

It is not for the defendant to complain that the Government has reduced the death penalty of treason and has allowed one accused of a treasonable offense to have bail if the Attorney-General consent. The law formerly allowed no bail for treason. The English law to-day allows bail in such

charges only on the consent of a High Secretary of State. It is folly to talk of Czar of Russia and of despotism, in the light of all the history of England on the subject of bailable and treasonable offenses.

Judge Cooley's views that the Treaty power under the Constitution of the United States did not allow the annexation of Louisiana are not the views which prevailed in the United States Senate at the time when Louisiana was annexed, and his view that it is unconstitutional to annex any territory out side of the American continent is not supported by any jurist or constitutional lawyer as thus far is known. Even he does not, however, claim that the present Government of Hawaii has no legislative power.

OCCASIONALLY a Honolulu paper sneers at a land boom, but if such a thing ever comes to Oahu island the journals of the day will have reason to thank their household gods that it headed in this direction. Land booms made Chicago, Omaha, Kansas City, Denver, Los Angeles, Seattle and Tacoma. One of them found San Diego with 2500 inhabitants and gave it 32,000 in twelve months and led to an investment of over \$20,000,000 there. After a year's experience with a boom visitation, Honolulu would be a capital of 60,000 people, with a gridiron of electric roads, with bi-weekly steamers to the coast, with suburban railways and a cable under way, and with private and public improvements galore. Is it quite worth while to sneer at such phenomena as these?

THE burden of the Royalist lay continues to be the patience with which the ex-Queen awaits an answer to her appeal by the United States. She is represented as still confident that President Cleveland will reply to her favorably. In the meantime the American Government continues its investigation of island affairs with the view of finding out whether annexation would be worth while as a business and political proposition. How this comports with the idea that restoration is in the wind no fellow could find out. Do Royalist prints imagine that, if the United States should see fit to decline a respectful proffer of the group after it had sent a friendly envoy to look into the thing, it would turn about and knock down the party that made the tender?

THE work which the New York Sun is doing for annexation is what might be expected of the ablest, most present and progressive paper in the United States. The Sun's arguments in point have not yet been overruled in any court of public opinion, least of all by that which the ultra-administration papers affect to represent. A feature of especial significance in the Sun's annexation program is that it is based upon the historic and consistent principles of democracy.

UNTIL the Chicago people set their houses in order for the proper reception and care of a great crowd, it will be well for Hawaiian tourists to defer their visit to the World's Fair. All accounts agree that the pilgrim and the stranger in the Windy City is likely to be taken in both as respects accommodations, prices and food. By August and September the signs will be more propitious, and besides, the Fair will then have become complete in its details.

In his exhaustive essay on Hawaiian affairs Judge Cooley did not attempt to state any grounds for restoration. The subject did not, perhaps, occur to him. It rarely does to anybody outside a small conspirators' faction on these Islands.

PERSONAL.

Walter G. Smith, editor of the STAR, is ill of la grippe and is absent from the office much of the time.

There is a rumor about that young Mr. Spreckels and his mother will return to the States by to-morrow's steamer.

The Duke of Newcastle, who was expected to arrive on the Alameda, will postpone his trip until the return trip of the Australia.

Miss Susan W. Folger, daughter of the late Secretary of the Treasury Folger, is a passenger en route on the Belgic for the States.

Edward Oppenheimer of Simon & Co., silk merchants of Yokohama, is on a visit to New York city by the steamer Belgic to-day.

The Misses Malone and Bates, teachers of the Kamehameha preparatory school, left on the Hall yesterday for a trip to the other islands.

Among the Miiki Maru's passengers were Mr. Onake, son of the Hawaiian Minister Resident, Dr. Komai of Hamakua and a son of J. O. Naca yama.

The following persons are booked to leave on the Mariposa for the Coast to-morrow: Miss M. B. Fanning, F. W. McChesney, W. W. Warner, M. S. Grinbaum and wife, W. E. C. Harrison, Dr. Thomas Slater.

The Woman's Board of Missions meets this afternoon at the Central Union Church at half-past two.

## BY AUTHORITY.

SALE OF LEASE OF THE GOVERNMENT LAND OF HANAPAI, IN HAMAKUA, HAWAII.

On Tuesday, July 25, 1893, at 12 o'clock noon, at the front entrance of the Executive Building, will be sold at public auction the lease of the Government land of Hanapai, Hamakua, Hawaii, containing an area of 77 3/4 acres, a little more or less.

Term: Lease for 15 years, to commence from the 13th day of October, 1893.

Upset price, \$100 per annum, payable semi-annually in advance.

J. A. KING,  
Minister of the Interior.  
Interior Office, June 24, 1893. 77 ft

SALE OF GOVERNMENT LANDS IN HILO, HAWAII.

On Tuesday, July 11th, 1893, at 12 o'clock noon, at the front entrance of the Executive Building will be sold at public auction, the following remnants of the Government lands in Hilo, Hawaii:

1.—Aleamali, containing an area of 79.7 acres. Upset price, \$150.

2.—Aleamali, containing an area of 18.8 acres. Upset price, \$94.

3.—Alakahi and Mokuoniki, containing an area of 541 acres. Upset price, \$500.

J. A. KING,  
Minister of the Interior.  
Interior Office, June 9, 1893. 75 ft

## WATER NOTICE.

In accordance with Section 7 of Chapter XXVI of the Laws of 1886, all persons holding water privileges or those paying water rates are hereby notified that the water rates for the term ending December 31, 1893, will be due and payable at the office of the Honolulu Water Works, on the 1st day of July, 1893.

All such rates remaining unpaid for fifteen days after they are due, will be subject to an additional 10 per cent.

Rates are payable at the office of the Water Works, in the Kapuwai Building.

All amounts over ten dollars, payable in United States gold coin.

ANDREW BROWN,  
Supt. Honolulu Water Works.  
Honolulu, June 16, 1893. 74 ft

SALE OF LEASE OF GOVERNMENT LANDS IN KIPAHULU, HANA, MAUI.

On Thursday, July 20, 1893, at 12 o'clock noon, at the front entrance of Executive Building will be sold at public auction the lease of Government remnants in Kipahulu, Hana, Maui, containing an area of 155 93-100 acres, a little more or less.

Term: Lease for 5 years, to commence from the 1st of November, 1893. Upset price, \$168 per annum, payable semi-annually in advance.

J. A. KING,  
Minister of the Interior,  
Interior Office, June 21, 1893. 74 ft

## IRRIGATION NOTICE.

Holders of Water Privileges, or those paying Water Rates, are hereby notified that the hours for using water for irrigation purposes, are from 6 to 8 o'clock A.M., and 4 to 6 o'clock P.M., until further notice.

ANDREW BROWN,  
Supt. Honolulu Water Works.  
Approved: J. A. KING,  
Minister of the Interior.  
Honolulu, H. I., April 1st, 1893. 6 ft



## NOTICE.

SUBSCRIPTIONS FOR DEFAYING the expenses of the coming Fourth of July Celebration can be left at the below mentioned offices and stores, where the lists are now open:

HOLLISTER & CO.,  
BENSON, SMITH & CO.,  
HOBSON, NEWMAN & CO.,  
HAWAIIAN NEWS CO.  
79 ft

## Fourth of July!

## NOTICE.

ALL PARTIES WISHING TO MAKE Entries in the Boat, Yacht and Swimming Races to be held on July 4th, will please communicate with J. W. JONES, P. O. Box 310. Per Order.

74 ft COMMITTEE ON SPORTS.

## Fourth of July!

## Parade of the "Antiques and Horribles."

ALL PERSONS WHO WILL JOIN in the Parade of the "Antiques and Horribles," are requested to communicate at once with C. B. Ripley, P. O. Box 23. Every one is invited to assist in this feature of the Fourth of July Celebration.

Prizes will be given for the best characters. Per Order of

74 ft COMMITTEE.

## LOST.

SOMEWHERE between Egan & Gunn's and Irwin & Co.'s—possibly at wharf—A Small Black Purse containing about \$55.00. Finder will be liberally rewarded by leaving same with

W. R. CASTLE.  
73 ft

## LOST.

A BLACK WALLET, CONTAINING among other things, an order on Irwin & Co. for a TICKET to San Francisco. A suitable reward will be paid if left at the Hawaiian Hotel.

L. D. TIMMONS.  
76 ft

## New Advertisements.

## GRAND OPENING!!

On Thursday, June 29th, in the store formerly occupied by Mrs. Lack.

## Home Bakery &amp; Coffee PARLORS.

Coffee, Tea or Chocolate, with Sandwiches, Cakes or Biscuits, at any hour.

Regular Lunches, Home-made Pies, Cakes and Candies.

Cigars, Cigarettes and Tobacco. 77

## At

THOS. G. THURM'S

UP-TOWN

STATIONERY,

BOOK STORE

and

NEWS AGENCY,

106 Fort St.,

can

be found

a full supply

of

American Flags

in

Silk,

Muslin and

Bunting;

all sizes,

and all prices,

whereby

everybody

can

decorate

and

appropriately

celebrate

The Glorious

Fourth.

Just Received!

A Large Assortment

OF

WALL PAPER!

Latest Styles.

FOR SALE by

ALLEN & ROBINSON,

QUEEN STREET.

75 ft

## NOTICE.

DURING DR. MONSARRAT'S absence on Hawaii, Dr. B. Schneider will have charge of his Infirmary.

Telephones—Mutual 183, Bell 96.

Orders left at the Club Stables will receive prompt attention. 69 ft

## Club Stables Co.

S. F. GRAHAM, MANAGER.

Livery, Feed and Sale Stables.

FORT STREET, BETWEEN HOTEL AND BERETANIA.

BOTH TELEPHONES No. 477.

Connected with Hack Stand

Corner King and Bethel Sts.

BOTH TELEPHONES No. 131.

## NOTICE.

ALL PERSONS ARE HEREBY FORBIDDEN to drive Cattle or Horses, or on over any of the Lands belonging to

Kanohe & Kailua Ranch,

or to Shoot or otherwise Trespass on any of said Lands without special permission from the undersigned.

Any person found Trespassing, will be prosecuted according to Law.

JOS. P. MENDONCA.

73 ft

## NOTICE.

JAMES F. MORGAN will Act for me in full power of Attorney, during my absence from the Hawaiian Islands.

L. H. DEE.

73 ft

## Lime and Cement.

FOR SALE AT

J. T. WATERHOUSE'S

Queen Street Stores.

## General Advertisements.

## Aim at the Drake

And you are bound to hit some of the ducks. This is precisely the same with

## Wampole's Tasteless Preparation

OF

## Cod Liver Oil.

It aims to cure Consumption, Hits the Mark, too, and it most effectively breaks up Colds, Coughs, Hoarseness and all Throat and Lung troubles that cause this disease.

It is natural logic to conclude that if WAMPOLE'S PREPARATION OF COD LIVER OIL has power to prevent Consumption, it surely is able to cure these lesser emergencies.

This vigor-making, fat producing preparation is Absolutely Tasteless, in so far as Cod Liver Oil is concerned. All you notice is a delightful flavor of Wild Cherry and Anise.

But the purest Norwegian Cod Liver Oil is there all the same. It is a great blood enricher. Best of all it is a natural food that in its stomachic effects, actually assists its own assimilation.

In Pulmonary or Bronchial troubles it is unequalled. No one doubts the value of Cod Liver Oil, but not every one is able to take it.

WAMPOLE'S PREPARATION removes the nauseous objection and actually makes Cod Liver Oil palatable.

KEPT IN STOCK AND SOLD BY

HOLLISTER & Co.

Druggists.

100 FORT STREET, HONOLULU.

## Base-Ball

Kamehamehas

vs.

Hawaiiis.

SATURDAY, - JULY 1st,

At 3:30 p.m.

HAWAIIAN BASEBALL ASSOCIATION GROUNDS.

ADMISSION:

Adults, 25 cents; Children, 10 cents.

27 ft

## Native Fans and Island Curios,

IN GREAT VARIETY AT THE

"Elite" Ice Cream Parlors

61 ft

## Hawaiian Wine Co.,

FRANK BROWN, MANAGER.

28 and 30 Merchant Street, Honolulu, H. I.

70 ft

## NOTICE.

To whom it may concern—The undersigned will not be responsible for any debts contracted on account of the Paradise of the Pacific, without his written order, nor will any receipts on account of said paper be recognized after this date unless signed by him.

J. I. WILLIAMS,

Per W. H. CHARLOCK, Jr.

June 16, 1893. 69

## NOTICE.

H. W. Schmidt & Sons

Herby give notice that they are the

SOLE AGENTS OF

JOHN WIELAND BREWING COMPANY'S BOTTLED BEER,

For the Hawaiian Islands under contract dated San Francisco, Feb. 25, 1890, and that they will sue for damages any party who injures or tries to injure their business.

H. W. SCHMIDT & SONS.

Honolulu, June 15th, 1893. 99 ft

## Lime and Cement.

FOR SALE AT

J. T. WATERHOUSE'S

Queen Street Stores.

## General Advertisements.

## Genuine Clearance Sale!

All Goods in our Large and Varied Stock Marked Down to the Lowest Prices.

Brewer Block.

EGAN & GUNN.

514 Fort Street.

Call and see the bargains we are offering.

78 ft

## Grand Excursion to Kahului

JULY 4th JULY 4th

The Steamer "Likelike"

Will leave Honolulu, Monday Afternoon, July 3rd, at 5 o'clock, arriving at Kahului early Tuesday Morning, July 4th. Leaving Kahului, Tuesday Night, July 4th, will arrive at Honolulu, Wednesday Morning, July 5th.

TICKETS

For the Round Trip: CABIN, \$7.50; DECK, \$3.00.

WILDER'S STEAMSHIP CO.

Honolulu, June 22d, 1893. 76 ft

1776. 1893.